THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.9631 of 2002

Dated:04.07.2007

Between
D.Jagannatham

.....Petitioner

and

1.The Commissioner of Prohibition
and Excise, Govt of AP Hyderabad and others.

...Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.9631 of 2002

ORDER:

This writ petition is filed to declare the action of the 3rd respondent in passing the impugned order permitting the 5th respondent to shift his shop from premises bearing D.No.2-59 Manepalli Village to D.No.2-68 of Nagullanka Village as arbitrary and illegal and consequently to set aside the order on the ground that the 5th respondent's shop is located within 80 meters distance from his shop.

Though the writ petition was admitted on 21.5.2002, no interim order was granted.

A detailed counter affidavit has been filed stating that the distance between the shop of the petitioner and the premises to which the shop of the 5th respondent was shifted was 100 meters and not 80 meters as alleged by the petitioner and that the permission was granted as per the excise policy and on payment of Rs.10,000/- towards shifting fees and that the shifting is within the

same revenue village.

In view of the counter averments, nothing survives for adjudication in this writ petition. The Writ petition is accordingly dismissed. No costs.

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4-7-2007

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